

**REMARKS**

This Amendment is in response to the Office Action mailed June 3, 2003. No new matter is believed to be added to the application by this Amendment.

**Status of the Claims**

Claims 1, 3, 5, 7 and 9-12 are pending in the application. Claims 2, 4, 6, and 8 are cancelled by this amendment. The amendments to claim 1 incorporate the subject matter of canceled claim 2. Claims 4, 6 and 8 have been cancelled to avoid redundancy and dependence upon a cancelled claim.

**Rejection Under 35 U.S.C. §103(a) Over Oka**

Claims 1-12 are rejected under 35 U.S.C. §103(a) as being obvious over Oka (U.S. Patent 5,292,132). Applicant traverses.

**The Present Invention and Its Advantages**

The invention pertains to a novel golf ball having 360 or more dimples arranged so that there is only one great circle zone not intersecting with the dimples. The dimples occupy 70% or more of the golf ball's surface.

An important aspect of the invention lies in that 40 to 100 rectangles having a 1.0 mm X 2.4 mm size can be formed in an area not lying in any of the dimples, and 20 to 50 of these configurations can be found in a region not proximate to the great

circle zone. These rectangles do not separate from each other and also do not overlap by more than half the entire area of each.

In the present invention, that is, the smallest area of the large flat portion is  $2.4\text{mm}^2$ , and the large flat portions having an area of  $2.4\text{mm}^2$  or more are formed in a range of 20 to 50.

The invention described above is typically embodied in instant claim 1:

1. A golf ball having 360 or more dimples and only one great circle zone not intersecting with said dimples formed on a surface of said golf ball such that a surface area occupancy percentage of said dimples is 70% or more,

wherein rectangles each having a shorter side of 1.0mm and a longer side of 2.4mm and not containing any of said dimples are formed in a range of 40 to 100, and large flat portions with said rectangles overlapping each other in an area not more than a half of an entire area of each other and without said rectangles separating from each other are formed in a range of 20 to 50, said rectangles and large flat portions are formed in a region other than a region proximate to said great circle zone.

### **Distinctions of the Invention Over Oka**

Oka pertains to a golf ball having dimples and lands, where the dimples are arranged so that less than 40 lands are provided which contain a rectangle having a short side greater than 0.4 mm and an area greater than  $0.8\text{mm}^2$  and not including a part of the dimple or the whole thereof. See Abstract of Oka.

Oka at column 1, lines 47-49 states that there is "provided a golf ball having less than 40 lands thereon, the area of which is approximately as small as less than  $1/5$  of the average area of dimples." Oka at column 2, lines 27-28 notes the

“the minimum area of a dimple is approximately 5 mm<sup>2</sup>.” Therefore, the area of lands exceeding 40 pieces in Oka is in a range of 0.8 mm<sup>2</sup> to 1.0mm<sup>2</sup>.

In the Office Action, the Examiner turns to Figure 7 of Oka and Asserts: “It would be apparent that the total areas of the lands having two or more rectangles would be satisfied . . . in any shaped configuration including that of the present invention.” See Office Action at page 2, line 25 to page 3, line 2. The Examiner, however, miscomprehends the technology of Oka.

As mentioned above, Oka discloses that the smallest area of the dimple is about 5mm<sup>2</sup>, and the area of the land exceeding 40 is 1/5 or less of the smallest area of the dimple. Therefore, the area of the lands exceeding 40 in Oka is in a range of 0.8mm<sup>2</sup> to 1mm<sup>2</sup>.

This is illustrated by the Examples of Oka.

Typically, Embodiment 1 of Oka has an area of a rectangle being 1.9 mm<sup>2</sup>, and the longer side of 0.5 mm, which the dimple is 14.5 to 5.7mm<sup>2</sup>. Therefore, 1/5 of 14.5mm<sup>2</sup> is 2.9mm<sup>2</sup>. See Oka at column 4, lines 36-53.

A similar analysis yields the results in Table A, below.

Table A. Land Analysis of Oka.

Embodiment	Number of lands having an area 1/5 times the area of the dimple
Embodiment 1	0
Embodiment 2	12
1st Comparison	0
2nd Comparison	12
3rd Comparison	12
4th Comparison	12

As shown in the above Table A, the number of lands in Oka having an area of  $2.4\text{mm}^2$  (corresponding to the large flat portion of the present invention) is 0 in Embodiment 1 and 12 in Embodiment 2.

In contrast, the present invention has a number of large flat portion ranging from 20 to 50.

As a result, Oka fails to suggest the present invention to one having ordinary skill in the art. A *prima facie* case of obviousness has thus not been made over Oka.

This rejection is accordingly overcome and withdrawal thereof is respectfully requested.

#### **Information Disclosure Statement**

Applicant thanks the Examiner for considering the Information Disclosure Statement filed November 8, 2002, and for making the updated initialed PTO-1449 form of record in the application in the Office Action mailed June 3, 2003.

#### **The Drawings**

The Examiner is respectfully requested to indicate whether the drawing figures are acceptable in the next official action.

**Foreign Priority**

The Examiner has acknowledged the claim of foreign priority, most recently in the Office Action mailed June 3, 2003.

**Conclusion**

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert E. Goozner, Ph.D. (Reg. No. 42,593) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

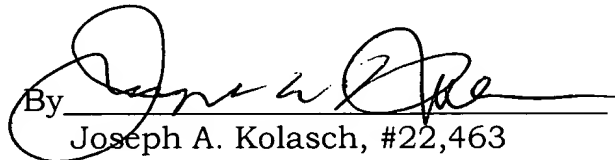
Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$110.00 is attached hereto.


Appl. No. 09/707,944  
Amendment dated October 2, 2003  
Response to Office Action of June 3, 2003

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Joseph A. Kolasch, #22,463

  
JAK/REG:jls  
2927-0117P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000